

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GLASS DIMENSIONS, INC., on behalf of the
GLASS DIMENSIONS, INC. PROFIT
SHARING PLAN AND TRUST, and all others
similarly situated,

Plaintiffs,

v.

STATE STREET BANK & TRUST CO.,
STATE STREET CORPORATION, and
STATE STREET GLOBAL ADVISORS,

Defendants.

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Civil Action No. 10-10588-JLT

ORDER

January 14, 2013

TAURO, J.

After a Hearing on January 7, 2013, this court hereby orders that:

1. Defendants' Motion to Amend the Class Certification Order [#179] is taken under advisement.
2. For the reasons set forth in the accompanying Memorandum, Goodyear's Motion to Intervene [#129] is DENIED.
3. For the reasons set forth in the accompanying Memorandum, Defendants' Motion to Strike Plaintiff's Untimely Expert Reports [#106] is ALLOWED IN PART and DENIED IN PART. Defendants shall have one month to supplement one of their expert reports to reply to the Pomerantz Report. Defendants must serve the supplemental expert report by February 11, 2013. Defendants may also file a single five-page legal brief to supplement their summary judgment briefings by

February 11, 2013. Defendants' supplemental brief may only address the implications of their expert's response to the Pomerantz Report.

4. For the reasons set forth in the accompanying Memorandum, Plaintiff's Motion to Strike Defendants' Prohibited Transaction Exemption 2006-16 Defense and/or Preclude Defendants from Offering Evidence of Related Rebates [#132] is

ALLOWED IN PART and DENIED IN PART. Plaintiff shall have one month to submit the rebate data to one of its experts for analysis. Plaintiff must serve the resulting expert report by February 11, 2013. Plaintiff may also file a single five-page legal brief to supplement its summary judgment briefing by February 11, 2013. Plaintiff's supplemental brief may only address implications of the rebate data.
5. A hearing on the parties' pending motions for summary judgment is scheduled for Wednesday, February 20, 2013, at 11:00 a.m.

IT IS SO ORDERED.

/s/ Joseph L. Tauro
United States District Judge